

COVINGTON

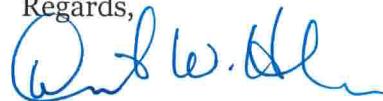
February 14, 2019  
Page 10

pursuant to 42 U.S.C. § 671(a)(8). *Id.* at \*1-2. After requiring the parties to enter into a “confidentiality agreement,” the Court ordered production of the case records. *Id.* at \*2. Likewise, in this case, the Court should order that SACWIS data be produced subject to the protections already in place in Case Management Order No. 2

For all of these reasons, Plaintiffs’ Clawback Request has no basis and should be rejected. Case law and the plain language of the regulations and statutes cited by the State make it clear that the CFS Spreadsheet, and the data it includes, are not protected by laws that would prevent their disclosure. Further, the record clearly refutes your assertion that the disclosure of the CFS Spreadsheet was inadvertent, and in any event there has been a clear waiver.

We welcome the opportunity to promptly meet and confer to discuss these issues in hopes of reaching a resolution.

Regards,



David W. Haller

Enclosures

cc:     Mark Cheffo  
         Carole Rendon  
         Enu Mainigi  
         Shannon McClure  
         Geoffrey E. Hobart  
         Kaspar Stoffelmayr  
         Tina Tabacchi  
         Tyler Tarney